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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 NICANOR MEJIA GARCIA,)
11) CASE NO. C09-0096-MJP-MAT
12 Petitioner,)
13) ORDER DIRECTING PETITIONER TO
14 v.) FILE A RESPONSE TO RESPONDENTS'
15) MOTION FOR RECONSIDERATION
16)
17 ERIC H. HOLDER, JR., Attorney General of)
18 the United States, et al.,)
19)
20 Respondents.)
21)
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23)
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26)

16 This matter comes before the Court on respondents' Motion for Reconsideration. (Dkt.
17 33). Respondents ask the Court to reconsider its previous Order granting petitioner's motion to
18 compel discovery, Dkt. 32, based on new evidence that petitioner was released on his own
19 recognizance on May 4, 2009. (Dkt. 33, Exs. A & B). Respondents assert that because
20 petitioner is no longer detained by the U.S. Immigration and Customs Enforcement ("ICE"), his
21 habeas petition has become moot and should be dismissed. *Id.* Respondents also argue that
22 because petitioner's habeas petition has become moot, his motion to compel discovery should
23 now be denied. *Id.*

Having considered respondents' motion for reconsideration and the remainder of the record, the Court hereby ORDERS:

(1) Pursuant to Local Rule CR 7(h)(3), petitioner shall file a response to respondents' motion for reconsideration no later than May 29, 2009.

(2) The response is limited to 3 pages or less.

(3) No reply by respondents shall be filed.

(4) Respondents' motion for reconsideration (Dkt. 33) shall be RE-NOTED for consideration on May 29, 2009.

(5) The Clerk shall forward a copy of this Order to all counsel of record.

DATED this 22nd day of May, 2009.

s/ Mary Alice Theiler
United States Magistrate Judge